

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA, : 21-cr-412 (JSR)  
: ORDER  
-v- :  
Israel Garcia, :  
: Defendant.  
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JED S. RAKOFF, U.S.D.J.

On April 7, 2022, defendant Israel Garcia submitted a pro se motion to withdraw his guilty plea and proceed to trial. ECF No. 130. Following appointment of new counsel, Mr. Garcia confirmed his intention to move to withdraw his plea and submitted a sworn declaration in support of the motion to withdraw. The Court then instructed Mr. Garcia's former counsel to file a responsive affidavit and held a hearing on the motion on July 5, 2022, at which time it heard argument from the Government and defense counsel.

Upon due consideration of the affidavits submitted to the Court as well as the arguments made by defense counsel and the Government, the Court DENIES Mr. Garcia's motion to withdraw his plea. An opinion setting forth the reasons for this decision will be issued in short order. The Court will proceed to sentencing Mr. Garcia on August 8, 2022, at 2pm. Probation is instructed to submit the Final Presentence Investigation Report by July 29, 2022.

SO ORDERED.

Dated: New York, NY  
July 18, 2022

  
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JED S. RAKOFF, U.S.D.J.